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In re Application of	:	
KAWASE, Ritsu et al.	:	
Application No.: 10/070,779	:	DECISION ON
PCT No.: PCT/JP99/06274	:	
Int. Filing Date: 11 November 1999	:	PETITION
Priority Date: 11 November 1998	:	
Attorney Docket No.: 50233-093	:	UNDER 37 CFR 1.181
For: OPTICAL CONNECTING COMPONENT	:	

This decision is in response to applicants' "Petition Under 37 CFR 1.181," filed on 01 February 2002. No petition fee is due.

BACKGROUND

On 11 November 1999, applicants filed international application PCT/JP99/06274. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 18 May 2000. A demand for international preliminary examination was filed 11 November 1999, prior to the expiration of nineteen months from the priority date. The deadline for entry into the national stage in the United States was thirty months from the priority date, or 11 May 2001.

On 01 February 2002, applicants filed the instant petition under 37 CFR 1.181, accompanied by, *inter alia*, a postcard receipt, a specification and a declaration.

DISCUSSION

MPEP at section 503 states, in part:

A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO.

The postcard receipt lists, *inter alia*, "New Patent App ... PCT ... 92 pages of Specification, 6 pages of Claims," recordation of patent, combined declaration/power of attorney and the fees. The postcard receipt is date stamped and indicated the applicant and the title of the application. The postcard receipt is not annotated to indicate that any of the items were not received.

The postcard receipt is adequate evidence that the patent application and declaration were received on 09 May 2001.

The petition states that the papers are "one true, complete copy of the documents submitted to enter the national stage" and the statement is signed by someone registered to practice before the office.

Applicants were charged \$130 for filing this petition, but there is no charge for a petition under 37 CFR 1.181. The \$130 will be credited to deposit account no. 50-0417, as authorized by the transmittal letter. Additionally, the difference between the fees applicable on 09 May 2001 and on 01 February 2002 will be credited to deposit account no. 50-0417.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is GRANTED.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision, including the mailing of a Notification Of Acceptance (Form PCT/DO/EO/903) and filing receipt. The 35 U.S.C. §371(c) date is 09 May 2001.



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